

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CAMERON POLK, et al

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:18-CV-382-DPJ-LRA

MAJOR CLAY BANE, et al

DEFENDANTS

ORDER

On December 26, 2019, the Court entered an Order [134] granting Plaintiff James Smith's attorney leave to withdraw. Mr. Smith was given until January 31, 2020, to employ private counsel or notify the Court that he will represent himself. Mr. Smith never complied.

In addition, Mr. Smith has not participated in discovery, prompting Defendants to file a Motion to Compel [133] his written discovery responses. He has not responded to that motion.

On March 6, 2020, Magistrate Judge Linda R. Anderson entered an Order to Show Cause, giving Mr. Smith one last chance to have a new lawyer enter an appearance or inform the Court in writing that he will proceed without counsel. Order [143]. Judge Anderson gave him until March 27, 2020, to comply and warned that failure to fully do so would result in the dismissal of his claims without further notice. *Id.* On March 16, 2020, the Order to Show Cause [143] was returned as undeliverable [144].

The Court concludes that Mr. Smith is no longer interested in pursuing this litigation. Accordingly, he is terminated as a named Plaintiff. Defendants' motion to compel discovery [133] is considered moot.

SO ORDERED AND ADJUDGED this the 7th day of April, 2020.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE